

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

## **MEMORANDUM AND ORDER**

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the district court as may be appropriate. This matter came before the Court on Defendant Juan Gonzales' Motion to Continue Pretrial Conference [Doc. 40]. The government has filed a statement of no objection, along with a description of scheduling considerations, [Doc.43]. The Court finds that good cause has been shown to reschedule the pretrial conference in this matter and [Doc. 40] is **GRANTED**.

Since the time the pretrial conference was originally scheduled, several substantive motions have been filed by both defendants in this case and the United States has responded. Two of these pretrial motions ask for the suppression of evidence and may require an evidentiary hearing. [Doc. 22] and [Doc. 38]. Additionally, Defendant Juan Gonzales has asked for leave to supplement his filings upon receipt from the government of a rights waiver form in connection with a statement he is alleged to have made, [Doc. 38], which the Court has granted. [Doc. 39]. Given the status of the pretrial motions in this case, the Court observes that their final disposition is unlikely to be

accomplished within a time that allows for adequate preparation by the parties for the October 17, 2007, trial date.<sup>1</sup> For this reason, the Court declines to schedule a new date for the pretrial conference as to the October 17, 2007, trial date.

The Court will conduct a scheduling conference on **Friday, October 12, 2007, at 2:00 p.m.**

At that time, the Court will schedule an evidentiary hearing, if one is needed, and address any other scheduling matters. At the October 12, 2007, hearing, the parties should be prepared to address the rapidly approaching October 17, 2007, trial date in this matter.

**IT IS SO ORDERED.**

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge

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<sup>1</sup> The Court makes this observation *sua sponte*, as no motion has been made to continue the trial date.